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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>	
(Only for new nonprovisional applications under 37 CFR 1.53(b))	
Attorney Docket	960296.97273
First Inventor	Eric W. Triplett
Title	BIOLOGICAL CONTROL OF CROWN GALL
Express Mail Label No.	ET317199969US

<b>APPLICATION ELEMENTS</b> See MPEP Chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Commissioner for Patents Box Patent Application Washington, D.C. 20231
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<p>1. <input checked="" type="checkbox"/> Fee transmittal Form (Submit an original and a duplicate for fee processing). See 37 CFR 1.27.</p> <p>2. <input type="checkbox"/> Applicant claims small entity status</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 19] (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed Sponsored R&amp;D</li> <li>- Reference to sequence listing, a table or a computer program listing appendix</li> <li>- Background of the invention</li> <li>- Brief Summary of the invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claims(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawings(s) (35 USC 113) [Total Sheets 2]</p> <p>5. Oath or Declaration [Total Pages 3]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from prior Application (37 CFR 1.63(d)) (or continuation/divisional with Box 17 completed)</p> <p>i. <input type="checkbox"/> Signed Statement attached deleting inventor(s) named in prior application, see 37CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 Copies); or</p> <p>ii. <input checked="" type="checkbox"/> Paper</p> <p>c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</p>
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<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input type="checkbox"/> Assignment Papers (cover sheet & documents)	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (where there is an assignee)	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input checked="" type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return receipt postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified copy of priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Other:	

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information: and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no. \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For **CONTINUATION OR DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>18. CORRESPONDENCE ADDRESS</b>					
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or <input checked="" type="checkbox"/> Correspondence address below					
NAME	David M. Kettner Quarles & Brady LLP				
ADDRESS	1 South Pinckney Street P O Box 2113				
CITY	Madison	STATE	WI	ZIP CODE	53701-2113
COUNTRY	USA	TELEPHONE	608/251-5000	FAX	608/251-9166

Name	David M. Kettner	Registration No. (Attorney/Agent)	45,589
Signature	[Signature]		Date: August 10, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231. GBMA03/31/0099

**FEE TRANSMITTAL**

Patent fees are subject to annual revision on October 1.

These are the fees effective November 10, 1998.

Small Entity payments must be supported by a small entity statement  
otherwise large entity fees must be paid, See Forms PTO/SB/09-12

TOTAL AMOUNT OF PAYMENT \$ 850.00

**Complete if Known**

Application Number	
Filing Date	herewith
First Named Inventor	Triplett
Group Art Unit	
Examiner Name	
Attorney Docket Number	960296.97273

**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 17-0055

Deposit Account Name Quarles &amp; Brady LLP

- ☒
- Charge Any Additional Fee Required under 37 CFR 1.16 and 1.17
- ☐
- Charge the Issue Fee Set in 37 CFR 1.18 at the Making of the Notice of Allowance, 37 CFR 1.311(b)

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Money Order ☐ Other
**FEE CALCULATION (fees effective 11/10/98)****1. FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
100	760	201	380	Utility filing fee	760.00
102	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	760.00

SUBTOTAL (1) (\$)760.00

**2. CLAIMS**

Total Claims	Extra	Fee from below	Fee Paid
25	-20**= 5	X 18	= 90.00
3	-3**= 0	X	= 0.00

Multiple Dependent Claims

\*\* or number previously paid, if greater. For reissues see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	09	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	**Reissue independent claims over original patent
110	18	210	09	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)90.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	'920	112	'920	Requesting publication of SIR prior to Examiner action	
113	'1,840	113	'1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoiably abandoned application	
141	1,210	241	605	Petition to revive unintentionally abandoned application	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

SUBTOTAL (3) (\$) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Typed or Printed Name David M. Kethner

Signature 

Date

August 10, 2001

**Complete (if applicable)**

Reg. Number 45,589

Deposit Account User ID 17-0055



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*Phoenix*  
*Tucson*

August 10, 2001

Commissioner of Patents  
Box Patent Application  
Washington DC 20231

Re: Filing New Patent Application

Dear Sir:

Enclosed for filing please find a new patent application entitled: BIOLOGICAL CONTROL  
OF CROWN GALL DISEASE

by Eric W. Triplett  
Thomas C. Herlache

The undersigned hereby certifies that this document is being deposited with the United States  
Postal Service today, August 10, 2001, by the "Express Mail" service, utilizing Express Mail label  
number ET317199969US addressed to: Commissioner for Patents, Box Patent Application,  
Washington, DC 20231.

Please indicate receipt of this application by returning the attached postcard with the official  
Patent and Trademark Office receipt and serial number stamped thereon.

Respectfully submitted,